

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

The Applicants wish to thank Examiner Bitar for the courtesy extended to Applicants' representative, David Ward, Reg. No. 45198 during a telephone interview conducted on March 18, 2009, and to thank Examiner Bitar and her supervisor, Samir Ahmed, for the courtesy extended to Mr. Ward during a personal interview conducted on April 7, 2009. A summary of the issues discussed during the interviews is included below.

Claim 10 has been amended to correct a French-to-English translational error, and claim 15 has been newly added. Support for the amendments is provided in the original claims, Fig. 3, and the specification on page 6, line 30, through page 8, line 17. (It should be noted that references herein to the specification and drawings are for illustrative purposes only and are not intended to limit the scope of the invention to the referenced embodiments.) The amendments were not presented earlier due to the unforeseeability of the remarks presented in the Final Rejection.

Claims 8-12 stand rejected, under 35 USC §103(a), as being unpatentable over Rutt (EP 0 447 080) in view of Claus et al. (US 7,133,067). Claim 13 stands rejected, under 35 USC §103(a), as being unpatentable over Rutt in view of Claus and Holder et al. (US 4,637,571). Claim 14 stands rejected, under 35 USC §103(a), as being unpatentable over Rutt in view of Claus and Ahlstrom et al. (US 4,796,834).

Applicants' representative presented the following arguments during the telephone interview.

Claim 8 defines a method for capturing visual images of a target with a spinning missile and geometrically transforming the captured images so as to display them successively with the same relative orientation. The claimed subject matter supports providing stabilized imagery of a target captured by a spinning camera (see specification page 1, line 34, through page 2, line 6).

The Final Rejection proposes that Rutt discloses, in column 2, line 53, through column 3, line 4, the claimed subject matter of geometrically transforming images captured by a spinning camera so that they have the same relative orientation (see Final Rejection page 4, penultimate paragraph). However, as may be determined by inspection of the cited portion of Rutt's disclosure, Rutt does not expressly disclose geometric image transformation. And Rutt does not appear to expressly disclose anything related to geometric image transformation. Thus, the Final Rejection seems to propose that Rutt must inherently disclose geometric image transformation.

More specifically, the Final Rejection proposes that Rutt discloses using signals from an orientation telemetry package to produce a steady, constant orientation image of a scene viewed by a spinning reconnaissance device (see Final Rejection section 4, lines 2-9). However, Rutt does not disclose how the telemetry signals are applied for producing the steady, constant orientation image of the scene viewed by the spinning reconnaissance device.

For example, Rutt could use the orientation telemetry signal to indicate when the spinning reconnaissance device has a particular relative orientation, such as zero degrees, with respect to a desired orientation for viewing a scene. In such a case, Rutt's system could ignore all images having a relative orientation different from the desired orientation so that only the images having the same relative orientation of zero degrees are displayed for producing a steady, constant orientation image of a scene viewed by a spinning reconnaissance device. Displaying only the images having the same relative orientation is not the same as, or similar to, the claimed

subject matter of performing a geometric image transformation on each of a plurality of images having different relative orientations so as to produce images having the same relative orientation. Because more than one way exists for Rutt's system to produce a steady, constant orientation image of a scene viewed by a spinning reconnaissance device, it necessarily follows that Rutt does not inherently disclose the Applicants' claimed subject matter.

As a result, Rutt neither expressly nor inherently discloses the Applicants' claimed subject matter of performing a geometric image transformation on each of a plurality of images having different relative orientations so as to produce images having the same relative orientation. And Claus is not cited in the Final Rejection for supplementing the teachings of Rutt in this regard.

Despite the above arguments, no agreement was reached during the telephone interview.

During the personal interview, the examiners acknowledged that the basis for the rejections applied in the Final Rejection is unwarranted. However, the examiners stated that they believe Rutt and Claus suggest the subject matter of Applicants' claims 8-12 for reasons other than those described in the Final Rejection. Therefore, the examiner stated she would issue a new office action in which the claims would be finally rejected over the previously cited references, but for reasons different than those identified in the Final Rejection.

The examiners also offered suggestions for amending the independent claims. One of the suggestions is reflected in new claim 15. More specifically, claim 15 recites illuminating a scene while taking pictures of the scene. Rutt and Claus do not disclose this subject matter.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

/James Edward Ledbetter/

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JEL/DWW/att

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